

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
Indianapolis Division**

**Acknowledged**

TWP

August 12, 2024

McMILLAN McGEE CORP.,

Plaintiff,

v.

THIRD SITE TRUST FUND,

Defendant.

No. 1:21-cv-01988-TWP-MJD

THIRD SITE TRUST FUND,

Counterclaim Plaintiff,

v.

McMILLAN McGEE CORP. and THE  
GUARANTEE COMPANY OF NORTH  
AMERICA USA,

Counterclaim Defendants.

**STIPULATION OF DISMISSAL**

Plaintiff and Counterclaim Defendant McMillan McGee Corp. (“McMillan”), Defendant and Counterclaim Plaintiff Third Site Trust Fund (the “Trust”), and Counterclaim Defendant The Guarantee Company of North America USA (“GCNA”) (collectively, the “Parties”), pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal of this action, including all claims and counterclaims, pursuant to the terms of a confidential settlement agreement. The dismissal of this action is with prejudice and without payment of costs or counsel

fees. However, the prejudicial effect of this dismissal shall not apply to any claims reserved in the confidential settlement agreement.

Dated: August 9, 2024

Respectfully submitted,

MCMILLAN MCGEE CORP.

THIRD SITE TRUST FUND

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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following counsel by electronic service via Pacer this 9th day of August 2024.

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